

DR. SHAUN L. W. SAMUELS
Plaintiff,
vs.
TRIVASCULAR, INC.
Defendant

**~~[PROPOSED]~~ ORDER GRANTING
JOINT STIPULATION TO STAY CASE
PENDING *INTER PARTES* REVIEW**

TRIVASCULAR, INC.

Counter-Claimant,

vs.

DR. SHAUN L. W. SAMUELS

Counter-Defendant

**[PROPOSED] ORDER GRANTING
STAY PENDING *INTER PARTES*
REVIEW**

Case No. CV-13-2261-EMC

1. This case shall be stayed pending the PTAB's decision on whether to grant TriVascular's petition for *inter partes* review and thereby institute review of the '575 patent.
2. The parties shall file a status report within ten days of the date on which the PTAB's decision is rendered regarding the *inter partes* petition and shall file a copy of the decision as an attachment to the report. In the event the petition is not granted, the stay is lifted subject to further order of the Court.
3. Should the PTAB institute *inter partes* review of the '575 patent, the case shall be further stayed until the PTAB issues a final written decision.
4. The parties shall file a status report within ten days of the date on which the PTAB's final written decision is rendered and shall file a copy of the decision as an attachment to the report. Upon notice of issuance of the PTAB's final written decision to the Court, the stay is lifted subject to further order of the Court.
5. In addition, the parties shall file a status report every six months from the date of the Court's order granting a stay of this case.
6. Accordingly, all deadlines in the case are stayed, and the hearing on the motion to stay and initial case management conference on September 19, 2013 are vacated.

PURSUANT TO THE STIPULATION, IT IS SO ORDERED. The Case Management Conference is rescheduled from 9/19/13 to 3/13/14 at 9:00 a.m. A joint CMC statement shall be filed by 3/6/14.

8/28/13

DATED:

HONORABLE EDWARD M. CHEN
United States District Court Judge

**[PROPOSED] ORDER GRANTING
STAY PENDING INTER PARTES
REVIEW**

